

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

Judge Robert W. Schroeder III

UNITED STATES OF AMERICA	§	
	§	
V.	§	CRIMINAL ACTION NO. 6:18CR16
	§	
HEON JONG YOO	§	

MINUTES FOR PRETRIAL CONFERENCE HEARING
HELD BEFORE JUDGE ROBERT W. SCHROEDER III
NOVEMBER 9, 2018

OPEN: 10:03 am

ADJOURN: 2:26 pm

ATTORNEY FOR PLAINTIFF: Lucas Machicek and Frank Coan

ATTORNEY FOR DEFENDANTS: Pro Se and Jeff Haas (standby counsel)

LAW CLERK: Amanda DoCouto

COURTROOM DEPUTY: Betty Schroeder

COURT REPORTER: Shea Sloan

10:03 am	Case called; parties announced ready; Court welcomes everyone; gives trial date of November 13
10:06 am	The Court and parties discuss Mr. Yoo's Motion to Continue (dkt. #215), issues with arrest warrant and search warrant
10:56 am	The Court and parties discuss Mr. Yoo's request for a waiver of a jury trial; jury panel will be used
11:18 am	Mr. Haas advises he has copies of the Court's rulings from yesterday; Court will provide Mr. Yoo with copies
11:21 am	Mr. Yoo informs the Court of his phone use restriction at the Gregg County Jail; Court responds

11:27 am Mr. Yoo addresses the Court regarding false information on ATF forms

11:31 am Mr. Coan objects because of repetitive argument; Court agrees

11:34 am Recess

12:54 pm Court informs Mr. Yoo that the matters contained in the Emergency Motion for Pretrial Release (dkt. #78) and Motion for Reconsideration (dkt. #169) have been previously ruled on in orders; Mr. Yoo responds

1:01 pm Court and Mr. Yoo discuss his IFP status; Mr. Coan responds

1:04 pm Court denies Motion for Pretrial Release (dkt. #78) and Motion for Reconsideration (dkt. #169) are denied

1:05 pm Court asks Mr. Yoo if he would like the Court to conduct voir dire; Mr. Yoo responds; Mr. Haas responds; Mr. Machicek advises he will be conducting voir dire for the government; Court explains jury selection process; no time limitations on voir dire; Mr. Coan advises the Court the trial shall take 1 ½ to 2 days; Mr. Yoo believes shorter time; Court gives trial schedule; Court asks parties to confer regarding exhibits

1:21 pm Court explains MIL practice

1:22 pm Mr. Machicek argues the government's MIL (dkt. #183) ; Mr. Yoo agrees to everything except #8 and #15; Mr. Machicek argues #8; Mr. Yoo responds; Mr. Machicek replies; Court responds - grants motion; Mr. Yoo objects to #15; Mr. Machicek responds; Court responds - grants motion in part

1:43 pm Mr. Yoo requests Mr. Coan to make judicial notice of aggravated felony; Mr. Coan responds; Court responds

1:49 pm Mr. Yoo argues his Motion to Strike Evidence (dkt. #93); Court responds

1:52 pm Mr. Coan inquires as to time limitations on opening statements and closing arguments; Mr. Yoo will give opening statement; Court responds - will give 20 minutes for openings statements and 30 minutes for closing arguments; Mr. Coan moves that Special Agent Jim Reed be designated as Case Agent under Rule 615; Mr. Yoo responds; Court will accept Special Agent Jim Reed as the Case Agent; Mr. Coan asks for timing to submit jury instructions; Court responds; Mr. Yoo inquires as to his use of a pen; Court responds; Mr. Coan advises the Court of its intent to present evidence from ATF; Mr. Yoo responds; Court responds

2:02 pm Court asks Mr. Yoo how he intends to testify; Mr. Yoo responds; Court responds

2:09 pm Mr. Yoo changes plea from not guilty to innocent; Mr. Coan responds; Court responds

2:12 pm Mr. Yoo advises the Court he will be using exhibits and lists them; Court responds; Mr. Coan responds; Court responds

2:25 pm Mr. Haas questions the Court regarding stipulations of evidence; Court responds

2:26 pm Recess